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Date: Thursday, January 22, 2004To: ATTN: OFFICE OF PETITIONS, Mail Stop PETITIONFirm/Company: United States Patent and Trademark OfficeFax Number: 703-872-9306

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From: Robert J. Schneider, Reg. No. 27,383 Matter Number: 1712942Ser. No.: U.S. Pat. App. Ser. No. 10/070,529 Extension: 3919**COMMENTS: Petition for Revival and Response to Office Action attached.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF:

EDLINGER, ALFRED

U.S. PATENT APP. SER. NO. 10/070,529

NAT. PHASE OF INTERNATIONAL APPLICATION NO.
PCT/AT01/00168

FILING DATE: March 6, 2002

FOR: DEVICE FOR ATOMIZING AND GRANULATING
LIQUID SLAGS

EXAMINER: ANDREWS, MELVYN J.

GROUP ART UNIT: 1742

TRANSMITTED TO FACSIMILE NO. 1-703-872-9306

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

INTRODUCTORY COMMENTS:

This Response is being filed with a Petition for Revival of this unintentionally abandoned application under 37 C.F.R. §1.137(b), with authorization to charge the petition fee under 37 C.F.R. §1.17(m) and three-month extension fee under 37 C.F.R. §1.17(a)(3) to our deposit account in accordance with the enclosed fee transmittal form.

This is filed in response to the Office Action mailed on May 12, 2003, wherein the Examiner:

1. Objected to the claims under 37 C.F.R. §1.126 based on claim numbering, and renumbered the claims.

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2. Rejected claims 12-38 (as renumbered) under 35 USC §112.
3. Rejected claims 12, 14, and 21-31 (as renumbered) under 35 USC §103(a) as obvious over Edlinger, U.S. Patent No. 6,318,123 in view of Wessel, U.S. Patent No. 3,891,730.
4. Found claims 13, 15-20, and 32-38 to be allowable, if they are rewritten to be independent of any rejected base or intervening claims, and to overcome the rejections under Section 112.

In response, Applicant respectfully submits the following Amendments and Remarks.

Amendments to the Claims are reflected in the listing of claims beginning on page 3 of this paper.

Remarks begin on page 9 of this paper.